



2832

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/034, 826
	Filing Date	December 28, 2001
	First Named Inventor	Garrett Holmes, et al.
	Art Unit	2832
	Examiner Name	Lincoln D. Donovan
Total Number of Pages in This Submission	Attorney Docket Number	DKT 00054A (BWI-00055)

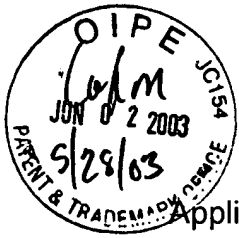
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Warn, Burgess & Hoffmann, P.C. Philip R. Warn - Reg No. 32775
Signature	
Date	May 20, 2003

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#6/Action
D. EVANS
6.6.03

Application No.: 10/034, 826
Filing Date: December 28, 2001
Applicant: Garrett Holmes, et al.
Group Art Unit: 2832
Examiner: Lincoln D. Donovan
Title: VARIABLE BLEED SOLENOID

Attorney Docket: DKT 00054A (BWI-00055)

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RESPONSE TO RESTRICTION REQUIREMENT

Sir:

This is in response to the Examiner's Office Action dated April 28, 2003, to which a timely one-month response is due by Wednesday, May 28, 2003. The Examiner asserted that the above-referenced patent application discloses the following inventions:

Group I: Claims 1-8, drawn to a valve assembly, classified in class 251, subclass 129.15;

Group II: Claims 9-16, drawn to a solenoid for a valve assembly, classified in class 335, subclass 256; and

Group III: Claims 13-22, drawn to a control circuit for a valve, classified in class 251, subclass 129.01.

The Examiner required restriction under 35 U.S.C. 121 to one of the allegedly patentably distinct groups of designs.

The Applicants respectfully traverse the restriction requirement.

The Applicants contend that while the claims of the present invention may arguably be properly classified as proposed by the Examiner, the actual search required to be conducted by the Examiner with respect to any one particular group will, in all probability, entail searching in multiple classes and multiple subclasses that encompass, or at least overlap, the classes and subclasses identified by the Examiner. For example, the Examiner stated that Groups I and III are both classified in class 251. Therefore, the Applicants submit that the search required to concurrently examine all of the claims of the instant application will not be unduly burdensome.

The Applicants hereby elect Group I, claims 1-8, with traverse, for prosecution on the merits.

The Applicants respectfully request consideration of the claims of the instant application and a favorable response is earnestly solicited. In the interests of expediting the prosecution of the instant application, it is respectfully requested that the Examiner contact the attorney of record by telephone in order to resolve any issues concerning patentability.

Respectfully submitted,

WARN, BURGESS & HOFFMANN, P.C.
Attorneys for Applicant(s)

Dated: 5/28/03

By: 

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